

**INITIAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
OFFICE OF THE STATE FIRE MARSHAL (SFM)  
REGARDING THE ADOPTION BY REFERENCE OF THE  
2006 EDITION OF THE UNIFORM PLUMBING CODE (UPC)  
WITH AMENDMENTS INTO THE 2007 CALIFORNIA PLUMBING CODE  
CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 5.**

---

The Administrative Procedure Act requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

**STATEMENT OF SPECIFIC PURPOSE AND RATIONALE**

The specific purpose of this rulemaking effort by the Office of the State Fire Marshal (SFM) is to act accordance with Health and Safety Code section 18928, which requires all proposed regulations to specifically comply with this section in regards to the adoption by reference with amendments to a model code within one year after it's publication.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies addressed in the 2005 Uniform Plumbing Code and published as the 2007 California Plumbing Code.

The general purpose of this proposed action is principally intended to update and codify a new edition of the California Plumbing Code (California Code of Regulations, Title 24, Part 5) based upon a more current edition of a model code. The current California Plumbing Code in effect is the 2001 California Plumbing Code which is based upon the 2000 Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials. This proposed action:

- Repeal the 2000 Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials and incorporate and adopt in its place the 2006 Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials for application and effectiveness in the 2007 California Plumbing Code pursuant to Health and Safety Code 18928. Health and Safety Code 18928 requires any state agency adopting model codes to adopt the most recent edition.
- Repeal amendments to the 2000 Uniform Plumbing Code and/or California Building Standards not addressed by the model code that are no longer necessary nor justified pursuant with Health and Safety Code 18930(a)(7).
- Adopt and implement additional necessary amendments to the 2006 Uniform Plumbing Code that address inadequacies of the 2005 Uniform Plumbing Code as they pertain to California laws.
- Bring forward previously existing California amendments, which represent no change in their effect from the 2001 Triennial California Building Standards Code. Some of the existing California amendments will be amended as follows:
  - Renumbering in order to fit into the newly text of the 2000 edition of the Uniform Plumbing Code.
  - Adding or changing the references to the application authority of SFM.
  - Language changes for clarification of existing law.
  - Not adopting into the text of the 2006 edition of the Uniform Plumbing Code.
- Codify non-substantive editorial and formatting amendments from the format based upon the 2000 Uniform Plumbing Code to the format of the 2006 Uniform Plumbing Code.

The specific purpose and rationale of each adoption, amendment, or repeal is as follows:

## **Chapter 1 Administration**

Chapter 1, Section 101, was provided by the California Building Standards Commission (CBSC).

SFM is proposing adoption of this new California Chapter.

SFM proposes to not adopt Chapter 1 of the 2006 Uniform Plumbing Code (UPC). SFM is proposing that Chapter 1 of the 2006 UPC be relocated in its entirety to a newly created Appendix Chapter 1 for the 2007 California Plumbing Code. SFM is proposing the adoption of a newly developed Chapter 1 with sections specific to the needs of California and each state agency. This new chapter will promote uniform enforcement throughout the state and ensure local enforcement agencies are provided accurate statutory information regarding the enforcement of building standards in the State of California.

Amendments that previously existed in Chapter 1 of the 2001 California Plumbing Code have either been repealed, reformatted, or relocated and are shown appropriately throughout this rulemaking package.

The proposed adoption of the new California Chapter 1, including the text of Section 101 which was provided by the CBSC, is consistent with the format guidance given by the CBSC and the 2006 UPC.

## **Chapter 2 Definitions**

### **223.0-U**

SFM is proposing to amend this definition. The proposed California amendment provides scope language for the SFM regulated applications. SFM also proposes to remove the identification banner. This change is consistent with the format guidance offered by the California Building Standards Commission for the 2006 UPC. The amendment does not represent a change in effect from the 2001 CBC.

## **Chapter 3 General Regulations**

### **Section 311.11**

SFM is proposing to amend this Section. The proposed California amendment provides scope language for the SFM regulated applications. SFM also proposes to remove the identification banner. This change is consistent with the format guidance offered by the California Building Standards Commission for the 2006 UPC. The amendment does not represent a change in effect from the 2001 CPC.

## **Chapter 5 Water Heaters**

### **Section 508**

508.2 The SFM proposes to omit the UPC language and replace with statutory language regarding anchoring and strapping requirements for water heaters to prevent earthquake damage.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in SFM regulated occupancies that are addressed in the 2006 Uniform Plumbing Code (UPC) and published as the 2007 CPC pursuant to Health and Safety Codes 18928(a), 1597.46, 13143, 13143.6(a), 13143.9(a), 13211, 17921(b). The amendment does not represent a change in effect from the 2001 CPC.

## **Chapter 6 Water supply and Distribution**

### **Section 603.4.16**

The SFM propose to renumber this section as a result of the 2006 UPC change in numbering from the 2000 UPC section 603.4.18. The amendment does not represent a change in effect from the 2001 CPC.

## **Chapter 12 Fuel Piping**

## **Section 1211**

1211.13.5 The SFM proposes to amend this section by clarifying that the SFM adopts this section with reference to the California Electrical Code.

1121.16 The SFM proposes to amend this section by referencing SFM adoption with the California Electrical Code.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in SFM regulated occupancies that are addressed in the 2006 Uniform Plumbing Code (UPC) and published as the 2007 CPC pursuant to Health and Safety Codes 18928(a), 1597.46, 13143, 13143.6(a), 13143.9(a), 13211, 17921(b). The amendment does not represent a change in effect from the 2001 CPC.

## **Chapter 13 Health Care Facilities and Medical Gas and Vacuum Systems**

### **1301.1**

SFM is proposing to repeal the amendment to Section 1301 of the 2001 CPC. This Section has been revised in the 2006 UPC and is no longer necessary. The amendment does not represent a change in effect from the 2001 CPC.

## **Chapter 14 Mandatory Referenced Standards**

Table 14-1 The SFM proposes to update this section by updating listed standards to current versions of the applicable NFPA edition. SFM also proposes to remove the identification banner. This change is consistent with the format guidance offered by the California Building Standards Commission for the 2006 UPC.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in SFM regulated occupancies that are addressed in the 2006 Uniform Plumbing Code (UPC) and published as the 2007 CPC pursuant to Health and Safety Codes 18928(a), 1597.46, 13143, 13143.6(a), 13143.9(a), 13211, 17921(b).

## **Chapter 15 Piping Applications**

### **Section 1506.4 and 1506.5**

SFM is proposing to repeal the amendment to Section 1506.4 and 1506.5 of the 2001 CPC. This Section has been revised in the 2006 UPC and is no longer necessary. The amendment does not represent a change in effect from the 2001 CPC.

### **AN IDENTIFICATION OF EACH TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENT UPON WHICH THE AGENCY IS RELYING IN PROPOSING THE ADOPTION, AMENDMENT, OR REPEAL.**

The SFM did not rely on any technical, theoretical, and empirical study, report in proposing the amendments to the 2006 UPC. However, the SFM reviewed and considered similar documents as listed below:

- NFPA 54
- NFPA 96
- NFPA 90A
- 2001 Edition of the CPC

### **CONSIDERATION OF REASONABLE ALTERNATIVES**

(Government Code Section 11346.2(b)(3)(A))

The SFM has determined that no alternative considered would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed adoption by reference with amendments to the 2006 UPC.

**REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

(Government Code Section 11346.2(b)(3)(B))

No other alternatives have been identified or have otherwise been identified and brought to the attention of the SFM that would lessen any adverse impact on small business.

**FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS**

(Government Code Section 11346.2(B)(4))

The SFM has made an initial determination that this proposed action will not have a significant adverse economic impact on business. Therefore, there are no other facts, evidence, documents, testimony, or other evidence on which the SFM relies to support this rulemaking.

The SFM is required under H&SC section 18928 to propose the adoption by reference with amendments the 2006 UPC within one year after it's publication.

**DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

The SFM has determined that there is no duplication or conflict with Federal regulations. There are no comparable federal regulations or statutes addressing the fire and life safety requirements of a plumbing code.